



General Assembly

January Session, 2007

Committee Bill No. 5993

LCO No. 4328

04328HB05993GAE

Referred to Committee on Government Administration and Elections

Introduced by:
(GAE)

AN ACT CONCERNING THE DEPARTMENT OF ADMINISTRATIVE SERVICES' SMALL AND MINORITY BUSINESS SET-ASIDE PROGRAM.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 4a-60g of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2007*):

4 (a) As used in this section and sections 4a-60h to 4a-60j, inclusive,
5 the following terms have the following meanings:

6 (1) "Small contractor" means any contractor, subcontractor,
7 manufacturer or service company (A) which has been doing business
8 under the same ownership and management and has maintained its
9 principal place of business in the state, for a period of at least one year
10 immediately prior to the date of application for certification under this
11 section, (B) which had gross revenues not exceeding [ten] fifteen
12 million dollars in the most recently completed fiscal year prior to such
13 application, and (C) at least fifty-one per cent of the ownership of
14 which is held by a person or persons who exercise operational

15 authority over the daily affairs of the business and have the power to
16 direct the management and policies and receive the beneficial interests
17 of the business, except that a nonprofit corporation shall be construed
18 to be a small contractor if such nonprofit corporation meets the
19 requirements of subparagraphs (A) and (B) of this subdivision.

20 (2) "State agency" means each state board, commission, department,
21 office, institution, council or other agency with the power to contract
22 for goods or services itself or through its head.

23 (3) "Minority business enterprise" means any small contractor (A)
24 fifty-one per cent or more of the capital stock, if any, or assets of which
25 are owned by a person or persons (i) who exercise operational
26 authority over the daily affairs of the enterprise, (ii) who have the
27 power to direct the management and policies and receive the beneficial
28 interest of the enterprise, and (iii) who are members of a minority, as
29 such term is defined in subsection (a) of section 32-9n, (B) who is an
30 individual with a disability, or (C) which is a nonprofit corporation in
31 which fifty-one per cent or more of the persons who (i) exercise
32 operational authority over the enterprise, and (ii) have the power to
33 direct the management and policies of the enterprise are members of a
34 minority, as defined in this subsection, or are individuals with a
35 disability.

36 (4) "Affiliated" means the relationship in which a person directly, or
37 indirectly through one or more intermediaries, controls, is controlled
38 by or is under common control with another person.

39 (5) "Control" means the power to direct or cause the direction of the
40 management and policies of any person, whether through the
41 ownership of voting securities, by contract or through any other direct
42 or indirect means. Control shall be presumed to exist if any person,
43 directly or indirectly, owns, controls, holds with the power to vote, or
44 holds proxies representing, twenty per cent or more of any voting
45 securities of another person.

46 (6) "Person" means any individual corporation, limited liability
 47 company, partnership, association, joint stock company, business trust,
 48 unincorporated organization or other entity.

49 (7) "Individual with a disability" means an individual (A) having a
 50 physical impairment that substantially limits one or more of the major
 51 life activities of the individual, or (B) having a record of such an
 52 impairment.

53 (8) "Nonprofit corporation" means a nonprofit corporation
 54 incorporated pursuant to chapter 602 or any predecessor statutes
 55 thereto.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2007	4a-60g(a)

Statement of Purpose:

To update the state's small business set-aside program criteria.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

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